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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,692	09/28/2005	Mario Villena	56290.1501	9301

7590 08/12/2008

Homexperts, Attn: William Kennedy
10700 N Kendall Dr., Suite 401
Miami, FL 33176

EXAMINER	
RUHL, DENNIS WILLIAM	
ART UNIT	PAPER NUMBER
3689	

MAIL DATE	DELIVERY MODE
08/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

1. With respect to the response filed 6/6/08, it is found to be non-responsive.

2. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

3. Applicant's arguments also do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

The last office action contained 9 separate prior rejections addressing the claims and numerous limitations. A number of separate prior art references were relied upon in rejecting the claims. Some of the rejections dealt specifically with the issue of the differential value search (DVS) and the examiner notes that the position set forth in the office action has not been specifically addressed by the applicant on the merits. Applicant summarizes the position of the examiner with respect to this issue on pages 6 to 7 of the response. The only thing close to an argument is the generic statement on page 6 that states "*However, this rejection and all of the rejections of the December 11, 2007 Office Action are moot in light of the present Amendment with new independent claims each having elements that are not disclosed, taught or suggested in any combination by the cited references*." This statement and the further arguments are not addressing the issue of the DVS and the rationale set forth by the examiner as far as the obviousness goes for this limitation. This must be addressed on the merits. Why is

the position of the examiner incorrect? This has not been explained. The arguments for claims 113,121,127 are nothing more than general allegations of patentability. Applicant must set forth why the newly added claims are believed to overcome the prior art, and this includes explaining how the specific language defines over the prior art that was actually used to reject the claims. It is not enough to just restate the claim limitations and declare that the prior art does not disclose them. This kind of response is considered to be non-responsive. With respect to the previous rejections, as an example, the reference to Frost was relied upon for a teaching of the use of maps and this feature is also recited in newly added dependent claims 118,123,131. Applicant has not addressed the 103 rejection of record that addresses the limitations that are still claimed although just in newly added claims. Applicant must respond to each and every rejection and explain why and how the newly added claims define over the prior art of record. Not presenting arguments addressing these rejections and the issues at hand is not expediting prosecution and is not keeping in spirit with the making of this case "special". To simply examine newly added claims with no substantive explanation as to how they define over the prior art is akin to starting over and doing a first action on the merits like this was a regular new case that has not previously been examined. This does not act to expedite prosecution. This application was made "Special" because applicant desired special expedited handling and prosecution. The most recent response is not taken as being fully responsive to the last office action.

4. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever

is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Ruhl whose telephone number is 571-272-6808. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Janice Mooneyham can be reached on 571-272-6805. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis Ruhl/

Primary Examiner, Art Unit 3689